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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/918,181 | 07/30/2001 | Alan Tsu-I Yaung | STL920000093US1 | 2692 |

7590 10/19/2004

David W. Victor
KONRAD RAYNES & VICTOR LLP
Suite 210
315 S. Beverly Drive
Beverly Hills, CA 90212

EXAMINER

NGUYEN, TRONG NHAN P

ART UNIT PAPER NUMBER

2152

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/918,181 | YAUNG, ALAN TSU-I | |
| | Examiner | Art Unit | |
| | Jack P Nguyen | 2152 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/26/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-42 are being examined.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 15-19, and 29-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Gabbita et al, 6,349,238 (Gabbita hereafter).

As per claim 1, Gabbita teaches a method for assigning a work item for one of a plurality of nodes in a workflow to at least one of a plurality of users capable of performing workflow related operations at the nodes (abstract), comprising: processing a node in a current workflow, wherein a current work item is associated with the processed node (abstract); determining users capable of being assigned the current work item (abstract); for each determined user, determining a number of work items other than the current work item assigned to the user; selecting at least one determined user based on the determined number of work items assigned to the determined users; and assigning the current work item to the at least one determined user (col. 2, lines 32-35; 208, fig. 2, col. 10, lines 27-29. System determines, selects, and assigns work

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assignments or tasks to a resource (or user) based on the user's current workload and availability).

Claim 15 is rejected for similar reasons as claim 1 addressed above. Gabbita further teaches a storage device (102, fig. 1B); a database in the storage device to store plurality of workflows, work items, nodes, etc., that associate with the processing and tracking of orders (104, fig. 1B, col. 4, lines 58-59; abstract).

Claim 29 is an article of manufacture variation of claim 1 with no further limitation. It is, therefore, rejected for similar reasons as claim 1 addressed above.

As per claims 2-3, Gabbita teaches the determined active work items are assigned to each user from a plurality of workflows and active work items are not current work items (210, fig. 2, col. 11, lines 6-9).

As per claims 4-5, Gabbita teaches the determined users comprise users on an access list associated with the current workflow; determining work items for which the user has exclusive access (col. 6, lines 52-57; users from different business areas that have exclusive access to work on tasks); and determining work items that are not owned by another user and that are associated with an access list that includes the user (col. 10, lines 27-29; system determines and assigns work item to appropriate resource based on user's workload and availability).

Claims 16-17 and 30-31 are variations of claims 2-3 with no further limitation. They are, therefore, rejected for similar reasons as claims 2-3 addressed above.

Claims 18-19 and 32-33 are variations of claims 4-5 with no further limitation. They are, therefore, rejected for similar reasons as claims 4-5 addressed above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-14, 20-28, and 34-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gabbita et al, 6,349,238 (Gabbita hereafter).

As per claims 6-7, Gabbita teaches a user (or user1) in an originating department creating a service order (204, fig. 2) that includes a priority (e.g., customer committed due date) assigned to the work item in the order (col. 9, line 35). The system then determines the priority related to the work item entered by user1 (col. 9, lines 39-42). Gabbita further teaches the system identifies all the work items (tasks) and the time required to complete the tasks (col. 9, lines 47-50). When the service order includes tasks that have high priorities as defined by user1, the system assigns it a processing priority (col. 10, lines 16-17) in the workflow and appoints an appropriate user (or user2) based on the user's workload and availability to work on the service order (col. 10, lines 27-29). Gabbita does not explicitly disclose creating an index value for each user based on task priority and using the index to select the user to assign the new work item. However, it would have been obvious to one of ordinary skill in the art to be motivated to introduce a modified variation of Gabbita teachings for determining and assigning

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available resource (user2) to work on tasks based on the user's workload and the priorities of the tasks in order to expedite and complete the service order on time as promised to the customer as disclosed by Gabbita in [col. 10, lines 4-7.]

Claims 8-14 are rejected for similar reasons as claims 6-7 addressed above.

Claims 20-21 and 34-35 are variations of claims 6-7 with no further limitation.

They are, therefore, rejected for similar reasons as claims 6-7 addressed above.

Claims 22-28 and 36-42 are variations of claims 8-14 with no further limitation.

They are, therefore, rejected for similar reasons as claims 8-14 addressed above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Lynn et al, 6,606,740 ; Li et al, 5,596,750 ; Bacon et al, 6,430,538 ; Aleia et al, 5,991,733 ; Du et al, 6,308,163 ; Davis et al, 5,937,388 ; Saito et al, 6,578,006 ; Suarez, 5,790,789 ; Randell, 5,745,687

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack P Nguyen whose telephone number is (703) 605-4299. The examiner can normally be reached on M-F 8:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jpn

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Dung C. Dinn
Primary Examiner